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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Alexander Joffe

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EXAMINER

RAPILLO, KRISTINE K

ART UNIT

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3626

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/782,904	Applicant(s) JOFFE ET AL.	
	Examiner KRISTINE K. RAPILLO	Art Unit 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/23/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1 – 21 are pending.

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "16" and "30" have both been used to designate "Network". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Figure 7 - 23', 25', 28', 29, 29' and Figure 8 – S825.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 16.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Felsher (U.S. Publication Number 2002/010679 A1) in view of Imanaka et al. (U.S. Publication No. 2002/0026384 A1), herein after Imanaka.

In regard to claim 1, Felsher teaches a data management system, comprising:

- a server system comprising (paragraph [0328]):
 - a storage system for storing data (paragraph [0328]);
 - an information system for storing information on data managed by said data management system (paragraph [0328]); and
- a data forwarding unit for forwarding data to said server system via the public network (paragraph [0326]),
- wherein, when said data forwarding unit receives data, said data forwarding unit sends identification information on the received data to said information system via one of said plurality of interfaces selected by said data forwarding unit in accordance with a set of predetermined rules (paragraphs [0254], [0332], [0336], and [0342]),
- wherein, in response to receiving identification information from said data forwarding unit, said information system sends communication information for one of said plurality of interfaces selected by said information system in accordance with a set of predetermined rules to said data forwarding unit (paragraph [0331]), and
- Wherein, using the communication information, said data forwarding unit forwards the received data to said storage system for storage via the interface selected by said information system (paragraph [0189]).

Felsher fails to teach a data management system comprising a plurality of interfaces for accessing said server system via a public network. For the purpose of examination, the Examiner has interpreted interface to be a web site or web page.

Imanaka teaches a data management system comprising a plurality of interfaces for accessing said server system via a public network (paragraph [0408]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a data management system comprising a plurality of interfaces for accessing said server system via a public network as taught by Imanaka, within the system of Felsher, with the

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motivation of allowing a user rapid access via the internet to data stored in a data management system (paragraph [0082]) and ensuring the request was made by authorized personnel (paragraph [0086]).

In regard to claim 2, Felsher teaches a data management system according to Claim 1, said plurality of interfaces comprising: a plurality of first interfaces for accessing said information system via the public network (paragraph [0325]).

Felsher fails to teach a plurality of second interfaces for accessing said storage system via the public network, wherein the interface selected by said data forwarding unit is one of said plurality of first interfaces, and the interface selected by said information system is one of said plurality of second interfaces.

Imanako teaches a plurality of second interfaces for accessing said storage system via the public network (paragraph [0553]), wherein the interface selected by said data forwarding unit is one of said plurality of first interfaces, and the interface selected by said information system is one of said plurality of second interfaces (Figure 3).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a plurality of second interfaces for accessing said storage system via the public network, wherein the interface selected by said data forwarding unit is one of said plurality of first interfaces, and the interface selected by said information system is one of said plurality of second interfaces as taught by Imanaka, within the system of Felsher, with the motivation of providing users with the means to access data using more than one web page or web site (paragraph [0409]).

In regard to claim 3, Felsher teaches a data management system according to Claim 2.

Felsher fails to teach a data management system wherein said plurality of first interfaces is redundant, and said plurality of second interfaces is redundant.

Imanaka teaches a data management system wherein said plurality of first interfaces is redundant, and said plurality of second interfaces is redundant (Figure 3).

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The motivation to combine the teachings of Felsher and Imanaka are discussed in the rejection of claim 2, and incorporated herein.

In regard to claim 4, Felsher teaches a data management system according to Claim 1, wherein said information system compares the identification information received from said data forwarding unit with the stored information on data managed by said data management system (paragraphs [0350], [0352], [0354], and [0376]), and sends the communication information for one of said plurality of interfaces if the received identification information corresponds with the stored information on managed data (paragraph [0354]).

In regard to claim 5, Felsher teaches a data management system according to Claim 4.

Felsher fails to teach a data management system wherein if the identification information received from said data forwarding unit does not correspond with the stored information on managed data, said data forwarding unit deletes the received data.

Imanaka teaches a data management system wherein if the identification information received from said data forwarding unit does not correspond with the stored information on managed data, said data forwarding unit deletes the received data (paragraph [0312]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a data management system wherein if the identification information received from said data forwarding unit does not correspond with the stored information on managed data, said data forwarding unit deletes the received data as taught by Imanaka, within the system of Felsher, with the motivation of ensuring appropriate security is in place, particularly in regard to patients medical records (paragraphs [0410], [0411], and [0412]).

In regard to claim 6, Felsher teaches a data management system according to Claim 1, said storage system comprising a plurality of different data storage devices (paragraph [0287]).

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In regard to claim 7, Felsher teaches a data management system according to Claim 6, wherein data stored in said storage system is stored in different ones of said plurality of storage devices in accordance with a priority assigned to the data (paragraphs [0287], [0304], and [0306]).

In regard to claim 8, Felsher teaches a data management system according to Claim 1, wherein the received data stored in said storage system is stored bitwise in the same file format received by said data forwarding unit (paragraph [0286]).

In regard to claim 9, Felsher teaches a data management system according to Claim 1, wherein said data forwarding unit receives the data to be forwarded to said server system via a private network (paragraph [0264]).

In regard to claim 10, Felsher teaches a data management system according to Claim 1, wherein said data forwarding unit is configured to communicate via the public network using only self-initiated communication sessions (paragraph [0019]), where bed side devices automatically generate or received data over a network (paragraph [0156]).

In regard to claim 11, Felsher teaches a data management system according to Claim 10, wherein communication sessions initiated by said data forwarding unit use an authenticated and secure protocol (paragraphs [0196] and [0248]).

In regard to claim 12, Felsher teaches a data management system according to Claim 10. Felsher fails to teach a system wherein said data forwarding unit initiates a communication session with the interface selected by said data forwarding unit when said data forwarding unit receives data to be forwarded to said server system.

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Imanaka teaches a system wherein said data forwarding unit initiates a communication session with the interface selected by said data forwarding unit when said data forwarding unit receives data to be forwarded to said server system (paragraphs [0285] and [0286]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a system wherein said data forwarding unit initiates a communication session with the interface selected by said data forwarding unit when said data forwarding unit receives data to be forwarded to said server system as taught by Imanaka, within the system of Felsher, with the motivation of allowing the user rapid access to via the internet to data stored in a data management system (paragraph [0082]).

In regard to claim 13, Felsher teaches a data management system according to Claim 10, wherein said data forwarding unit initiates a communication session with one of said plurality of interfaces selected by said data forwarding unit at a configured interval to forward status information to said information system (paragraph [0291]).

In regard to claim 14, Felsher teaches a data management system according to Claim 10, wherein said information system sends configuration instructions to said data forwarding unit when said data forwarding unit has initiated a communication session with said server system (paragraph [0306]).

In regard to claim 15, Felsher teaches a data management system according to Claim 10, wherein said information system sends programming instructions to said data forwarding unit when said data forwarding unit has initiated a communication session with said server system (paragraph [0057]).

In regard to claim 16, Felsher teaches a data management system according to Claim 1, further comprising a display unit for displaying data stored in said storage system, wherein said display unit obtains the data to be displayed via one of said plurality of interfaces identified by said information system in response to a request received from said display unit (paragraph [0330]).

In regard to claim 17, Felsher teaches a data management system according to Claim 16, wherein said display unit is a web browser (paragraph [0326]).

In regard to claim 18, Felsher teaches a data management system according to Claim 16, wherein the data obtained by said display unit is encrypted (paragraph [0326]).

In regard to claim 19, Felsher teaches a data management system according to any one of Claims 1 to 18, further comprising a plurality of said server systems, wherein said plurality of server systems are physically remote from each other (Figure 1), and wherein said data forwarding unit selects one of said plurality of interfaces of said plurality of server systems to send identification information on the received data in accordance with a set of predetermined rules (paragraphs [0254], [0332], [0336], and [0342]).

In regard to claim 20, Felsher teaches a data management system according to Claim 19, wherein information on data managed by said data management system is updated in said information system of each of said plurality of server systems when a change to the information is made in any one of said information systems (paragraph [0287]).

In regard to claim 21, Felsher teaches a data management system according to Claim 19, wherein data stored in said storage system of each of said plurality of server systems is periodically updated to reflect changes made to data stored in any one of said storage systems (paragraph [0291]).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Reed et al. (U.S. Patent Number 6,345,288) teaches computer-based communication using metadata

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defining a control structure which updates all parties and works with all communication networks used by the provider and consumer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KRISTINE K. RAPILLO whose telephone number is (571)270-3325. The examiner can normally be reached on Monday to Thursday 6:30 am to 4 pm Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Luke Gilligan can be reached on 571-272-6770. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KKR

/C Luke Gilligan/
Supervisory Patent Examiner, Art Unit 3626